

**Amendment and Response****Serial No. 10/777,943****Page 4 of 9****AMENDMENTS TO THE DRAWINGS**

The attached replacement sheets amend Figures 1 and 2 to include an outline of the engine room in broken lines.

**Amendment and Response**  
**Serial No. 10/777,943**  
**Page 8 of 9**

**REMARKS**

The foregoing amendment amends Claims 2 and 3, cancels Claims 1, 5 and 6 and adds new Claim 11 so that Claims 2-4 and 7-11 are pending, with Claims 4 and 7-10 being withdrawn.

**Objections to the Specification and Drawings**

The Examiner objected to the Abstract for certain informalities and to Figures 1 and 2 alleging that the engine room must be shown. The foregoing amendment amends the Abstract. Although it is contended that the engine room is not required to be shown, in order to facilitate the allowance of this application, Figures 1 and 2 have been amended to show the engine room in broken lines.

**Rejection Under 35 U.S.C. §112, Second Paragraph**

The Office Action rejected Claims 1-3, 5 and 6 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The foregoing amendment cancels Claims 1, 5 and 6 and amends Claims 2 and 3. Thus, the rejection as to Claims 1, 5 and 6 is now moot and it is submitted that amended Claims 2 and 3 are definite.

**Rejection Under 35 U.S.C. §102**

The Office Action rejected Claims 1-3, 5 and 6 under 35 U.S.C. §102 as being anticipated by EP 0 855 566 A2 ("EP '566"). Claim 11 recites that the refrigerant passage of the condenser has an inlet and an outlet on one side of the condenser core part that face one direction and that the refrigerant passage of the oil cooler has an inlet and an outlet on the other side of the condenser core part which face in an opposite direction. One embodiment of the invention is illustrated by Figure 1 which shows the inlet and outlet for the refrigerant passage of the condenser on the left-hand side of the figure (*see* Refrigerant B) and the inlet

**Amendment and Response****Serial No. 10/777,943****Page 9 of 9**

and outlet for the refrigerant passage of the oil cooler on the right-hand side of the figure (see Oil C).

In contrast, EP '566 describes a fluid inflow pipe 53 and a fluid outflow pipe 55 connected to the bottom of the lower condenser tank 27 and facing downwards, a coolant inflow pipe 57 connected to the upper condenser tank 25 and facing upwards, and a coolant outflow pipe 59 connected to the lower condenser tank 27 and facing downwards. As shown in Figures 1, 4 and 5 of EP '566, the fluid inflow pipe 53, the fluid outflow pipe 55, and the coolant outflow pipe 59 are all connected to the bottom of the lower condenser tank 27, *i.e.* the same side of the condenser tank, and all face the same direction. Thus, EP '566 does not describe that the refrigerant passage of the condenser has an inlet and an outlet on one side of the condenser core part that face one direction and that the refrigerant passage of the oil cooler has an inlet and an outlet on the other side of the condenser core part which face in an opposite direction, as required by Claim 11.

**CONCLUSION**

The claims are believed to be in condition for allowance. The Examiner is invited and encouraged to contact the undersigned attorney of record at (404) 685-6799 if such contact will facilitate a Notice of Allowance.

Respectfully submitted,



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